

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NEW MEXICO CONSOLIDATED
CONSTRUCTION, LLC, a New Mexico
Limited Liability Company,

Appellant,

vs.

No. CIV 14-0171 JB/WPL

CITY COUNCIL OF THE CITY OF SANTA
FE,

Appellee,

and

NEW MEXICO CONSOLIDATED
CONSTRUCTION, LLC, a New Mexico
Limited Liability Company,

Plaintiff,

vs.

DAVID COSS, Mayor of the City of Santa Fe,
personally and as Mayor; REBECCA
WURZBERGER, personally and as Mayor Pro
Tem of the City of Santa Fe; PATTI J.
BUSHEE, CHRIS CALVERT, ROSEMARY
ROMERO, MICHAEL M. CHAVEZ,
CARMICHAEL A. DOUGLAS, MATTHEW
F. ORTIZ, and RONAL S. TRUJILLO,
Members of the City Council of the City of
Santa Fe, personally and as Officials of the City
of Santa Fe; ROBERT ROMERO, City
Manager, GENO ZAMORA, City Attorney, and
MEL MORGAN, City Finance Director,
personally and as employees or officials of the
City of Santa Fe; SHARON WOODS, KAREN
WALKER, CELILIA RIOS, DEBORAH
SHAPIRO, DAN FEATHERINGILL, JOHN
KANTNER, ROD COLLIER ACTON, FRANK
D. KATZ, and CHRISTINE MATHER,

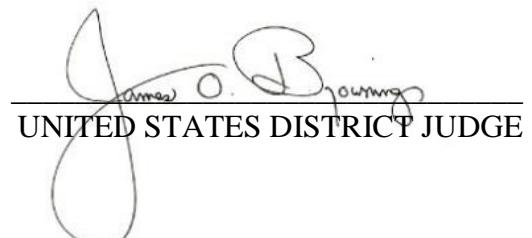
personally and as Members of the Santa Fe
Historic Design Review Board,

Defendants.

ORDER¹

THIS MATTER comes before the Court on the Motion for Summary Judgment That Federal Claims in the Third Amended Complaint Are Barred by the Doctrine of Res Judicata, filed June 25, 2014 (Doc. 26) ("Motion"). The Court held a hearing on the Motion on December 19, 2014. For the reasons stated at the hearing, the Court will grant the Motion.

IT IS ORDERED that the Motion for Summary Judgment That Federal Claims in the Third Amended Complaint Are Barred by the Doctrine of Res Judicata, filed June 25, 2014 (Doc. 26), is granted.



John R. Polk
UNITED STATES DISTRICT JUDGE

Counsel:

John R. Polk
Albuquerque, New Mexico

Attorney for the Appellant and the Plaintiff

Philomena M. Hausler
Albuquerque, New Mexico

--and--

¹This Order disposes of the Motion for Summary Judgment That Federal Claims in the Third Amended Complaint Are Barred by the Doctrine of Res Judicata, filed June 25, 2014 (Doc. 26). The Court may, however, at a later date issue a memorandum opinion more fully explaining the rationale for its decision.

Erika E. Anderson
Albuquerque, New Mexico

Attorneys for the Appellee and the Defendants